UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/938
15 November 1996
ENGLISH
ORIGINAL: ENGLISH, FRENCH AND RUSSIAN

Draft resolution

The Security Council,

Recalling all its relevant resolutions concerning the territories of Eastern Slavonia, Baranja, and Western Sirmium of the Republic of Croatia, and in particular its resolutions 1023 (1995) of 22 November 1995, 1025 (1995) of 30 November 1995, 1037 (1996) of 15 January 1996, 1043 (1996) of 31 January 1996, and 1069 (1996) of 30 July 1996,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium are integral parts of the Republic of Croatia,

Welcoming the success the United Nations Transitional Administration in Eastern Slavonia, Baranja and Western Sirmium (UNTAES) has had in facilitating the peaceful return of the territories to the control of the Republic of Croatia,

Recalling that the Basic Agreement on the Region of Eastern Slavonia, Baranja, and Western Sirmium (S/1995/951), signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb community (the Basic Agreement), requested the Security Council to establish a Transitional Administration to govern the Region during the transitional period,

Recalling also that the Basic Agreement provided that the transitional period of twelve months may be extended at most to another period of the same duration if so requested by one of the parties,

Noting that the local Serb community has requested that the transitional period be extended by twelve months, as indicated by the Secretary-General in his report of 28 August 1996 (S/1996/705),

Welcoming the Secretary-General's report of 26 October 1996 (S/1996/883), and noting in particular the Secretary-General's recommendations that the mandate of UNTAES be extended by six months, until 15 July 1997; that early

extension would avoid a period of pressure and political turmoil; and that the Council consider at this time the need for a further six-month presence of the United Nations,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

Determined to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the Republic of Croatia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Expresses its full support for UNTAES and calls upon the Government of the Republic of Croatia and the local Serb community to cooperate fully with UNTAES and to fulfil all obligations specified in the Basic Agreement and all relevant Security Council resolutions;

2. Calls upon the Government of the Republic of Croatia and the local Serb community to cooperate with UNTAES in creating the conditions and taking the other steps necessary for holding local elections in the Region, in accordance with the Basic Agreement, the organization of which is the responsibility of UNTAES;

3. Reaffirms the importance of full compliance by the parties with their commitments as specified in the Basic Agreement to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among all local residents irrespective of their ethnic origin, and in this context, urges the Government of the Republic of Croatia to ensure respect for the rights of all national ethnic groups;

4. Urges furthermore the Republic of Croatia and the local Serb community to avoid actions which could lead to refugee movements and in the context of the right of all refugees and displaced persons to return to their homes of origin, reaffirms the right of all persons originating from the Republic of Croatia to return to their homes of origin throughout the Republic of Croatia;

5. Emphasizes the responsibility of both the Republic of Croatia and the local Serb community to improve the reliability and effectiveness of the transitional police force, in cooperation with UNTAES and consistent with its mandate;

6. Requests the Secretary-General to keep the Council fully informed of developments and to report to the Council by 15 February 1997 and again by 1 July 1997 on the situation in the region;

7. Decides to maintain the United Nations presence in the Region until the end of the extended transitional period as provided for in the Basic Agreement and:

(a) Decides to extend the mandate of UNTAES until 15 July 1997; and

(b) Requests that as soon as possible after the successful holding of elections, and in no case later than his report of 1 July 1997, the Secretary-

General provide to the Council for its immediate action his recommendations, in the light of the parties' progress towards fulfilling the Basic Agreement, for the further United Nations presence, possibly a restructured UNTAES, consistent with the fulfilment of the Basic Agreement, for the six-month period beginning from 16 July 1997;

8. Decides to remain actively seized of the matter.